

REMARKS

Reconsideration of the Application is requested.

I. Status of the Claims

Claims 1, 3, 4, 6, 9-14, and 18-46 are pending and stand rejected.

Claims 9-14, 18-27, 31-34, 36, and 37 were previously withdrawn from consideration.

Claim 44 is herein withdrawn from consideration.

Claims 1, 3, 4, 6, 28, 29, 35, 38-43, 45, and 46 are herein amended. No new matter is added.

Claims 2, 5, 7, 8, and 15-17 were previously cancelled without prejudice or disclaimer of the subject matter therein.

II. Rejections Under 35 U.S.C. § 102

The rejection of claim 30 under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication JP 2001 192903 to Fujii et al. ("Fujii") is traversed.

The Examiner asserts that Fig. 22 of Fujii shows a band-like pressure portion with a crotch for covering at least part of a lower half of a body. The Examiner then asserts that Fig. 22 discloses a band-like pressure portion, having a front side portion corresponding to a front side of a crus. This is not accurate. In the dictionary, the "crus" is defined as the section of the leg or hind limb between the knee and the foot (underscoring added for emphasis). Fig. 22 of Fujii does not disclose either strong straining portions or a garment which covers a section of a leg from the knee

to the foot for applying pressure to the crus. Fig. 22 of Fujii shows strong straining portions which stop well above the knee. Claim 30 recites the structure of “A garment...for covering at least part of a lower half of a body, comprising: a band-like pressure portion at least has, at a front side portion corresponding to a front side of a crus, a crus front side pressure portion formed obliquely from above to below the front side portion and, at a rear side portion corresponding to a rear side of the crus, a crus rear side pressure portion formed obliquely from above to below the rear side portion.” (underscoring added for emphasis).

Fujii neither discloses nor suggests the structure of strong straining portions for covering selected portions of the crus, the section of the leg between the knee and the foot, as is positively recited in our claim 30. Therefore, it is our understanding that claim 30 clearly avoids the Fujii reference.

III. Rejections Under 35 U.S.C. § 102

The rejection of claims 1, 3, 4, 6, 28, 29, 35, 38-43, 45, and 46 under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication JP 2002-212814 to Kenichi (“Kenichi”) is traversed.

The English-language abstract of Kenichi suggests that the article of clothing disclosed may be comprised of three separate articles of clothes. The first article is a weakly stretchable part which extends from the waist to the ankles of a person. The second article is a strongly stretchable part which fits over or under the first part and extends only from the waist to the hips. The third article is a strongly stretchable part which fits over or under the first part and extends only from the knees to the ankles. Another possibility is that the article of clothing is a single item with three

separate and distinct parts. As with the above embodiment, the strongly stretchable parts which fit around the waist are separate from the strongly stretchable part which extends from the knees to the ankles.

Thus, with either embodiment, the strongly stretchable parts which fit around the waist are not connected to the strongly stretchable parts which extend from the knees to the ankles.

In the disclosed invention, looking at Fig. 3, the strongly stretchable member is a single member, not two members, which extends from the waist to the ankles. Claim 1 is amended to more positively define the inventive departure and now recites in the penultimate paragraph that:

“...at least either one of the left leg member or the right leg member has the front second stretchable portion extending continuously along the front side from an outer upper portion near the thigh to an inner lower portion of the left or right leg member near the knee and then to an outer portion near the ankle, respectively.”

Clearly, the Kenichi reference neither discloses nor suggests the structure of a single continuous stretchable member which extends, without interruption, from the waist to the ankle in a serpentine path as is now recited in amended claim 1.

Therefore, with this amendment, claim 1 clearly avoids Kenichi and is in condition for allowance. Claims 3, 4, 6, 28, and 35 depend from claim 1 and, therefore, for the reasons noted above, also distinguish over Kenichi.

Claim 29 is amended to now recite, in the penultimate paragraph, the structure of:

“...the thigh front side pressure portion extends continuously from an outer upper portion near the waist to an inner ankle portion of the left or right thigh leg member, respectively.”

For the reasons noted above, amended claim 29 now clearly avoids Kenichi; and, therefore, is in condition for allowance.

Claim 38 is amended to now recite the structure of:

“a front second stretchable portion provided substantially at a front side of each of the leg members, said front second stretchable portion extending continuously obliquely from an upper front portion near the waist to a lower front ankle portion of each leg member.”
(underscoring added for emphasis)

Amended claim 46 now recites the structure of:

For the reasons noted above, amended claim 46 now clearly avoids Kenichi; and, therefore, is in condition for allowance.

CONCLUSION

Each and every point raised in the Final Office Action dated December 28, 2007 has been addressed on the basis of the foregoing amendments and remarks. In view of the foregoing, it is believed that claims 1, 3, 4, 6, 28, 29, 30, 35, 38-43, 45, and 46 are in condition for allowance, and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below. In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

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